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SOURCE: 29 FR 18995, Dec. 29, 1964, unless otherwise noted. Redesignated at 32 FR 5606, Apr. 5, 1967.

### Subpart A—Introduction, Approvals and Reports

#### § 179.1 General.

(a) This part prescribes the specifications for tanks that are to be mounted

on or form part of a tank car and which are to be marked with a DOT specification.

(b) Except as provided in paragraph (c) of this section, tanks to which this part is applicable, must be built to the specifications prescribed in this part.

(c) Tanks built to specifications predating those in this part may continue in use as provided in § 180.507 of this subchapter.

(d) Any person who performs a function prescribed in this part, shall perform that function in accordance with this part.

(e) When this part requires a tank to be marked with a DOT specification (for example, DOT-105A100W), compliance with that requirement is the responsibility of the tank builder. Marking the tank with the DOT specification shall be understood to certify compliance by the builder that the functions performed by the builder, as prescribed in this part, have been performed in compliance with this part.

(f) The tank builder should inform each person to whom that tank is transferred of any specification requirements which have not been met at time of transfer.

[Amdt. 179-17, 41 FR 38183, Sept. 9, 1976, as amended by Amdt. 179-50, 60 FR 49076, Sept. 21, 1995; 68 FR 48571, Aug. 14, 2003]

#### § 179.2 Definitions and abbreviations.

(a) The following apply in part 179:

(1) *AAR* means Association of American Railroads.

(2) *Approved* means approval by the AAR Tank Car Committee.

(3) *ASTM* means American Society for Testing and Materials.

(4) [Reserved]

(5) Definitions in part 173 of this chapter also apply.

(6) *F* means degrees Fahrenheit.

(7) *NGT* means National Gas Taper Threads.

(8) *NPT* means an American Standard Taper Pipe Thread conforming to the requirements of NBS Handbook H-28 (IBR, see § 171.7 of this subchapter).

(9) [Reserved]

(10) *Tank car facility* means an entity that manufactures, repairs, inspects, tests, qualifies, or maintains a tank car to ensure that the tank car conforms to this part and subpart F of part

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180 of this subchapter, that alters the certificate of construction of the tank car, that ensures the continuing qualification of a tank car by performing a function prescribed in parts 179 or 180 of this subchapter, or that makes any representation indicating compliance with one or more of the requirements of parts 179 or 180 of this subchapter.

(1) *Tanks* means tank car tanks.

(b) [Reserved]

[29 FR 18995, Dec. 20, 1964. Redesignated at 32 FR 5606, Apr. 5, 1967, and amended by Amdt. 179–10, 36 FR 21344, Nov. 6, 1971; Amdt. 179–50, 60 FR 49076, Sept. 21, 1995; Amdt. 179–50, 61 FR 33255, June 26, 1996; 63 FR 52850, Oct. 1, 1998; 66 FR 45186, 45390, Aug. 28, 2001; 68 FR 75759, Dec. 31, 2003]

#### § 179.3 Procedure for securing approval.

(a) Application for approval of designs, materials and construction, conversion or alteration of tank car tanks under these specifications, complete with detailed prints, must be submitted in prescribed form to the Executive Director—Tank Car Safety, AAR, for consideration by its Tank Car Committee and other appropriate committees. Approval or rejections of applications based on appropriate committee action will be issued by the executive director.

(b) When, in the opinion of the Committee, such tanks or equipment are in compliance with the requirements of this subchapter, the application will be approved.

(c) When such tanks or equipment are not in compliance with the requirements of this subchapter, the Committee may recommend service trials to determine the merits of a change in specifications. Such service trials may be conducted only if the builder or shipper applies for and obtains an exemption.

[29 FR 18995, Dec. 29, 1964. Redesignated at 32 FR 5606, Apr. 5, 1967 and amended by Amdt. 179–41, 52 FR 36672, Sept. 30, 1987; 63 FR 52850, Oct. 1, 1998; 68 FR 48571, Aug. 14, 2003]

#### § 179.4 Changes in specifications for tank cars.

(a) Proposed changes in or additions to specifications for tanks must be submitted to the Executive Director—Tank Car Safety, AAR, for consider-

ation by its Tank Car Committee. An application for construction of tanks to any new specification may be submitted with proposed specification. Construction should not be started until the specification has been approved or an exemption has been issued. When proposing a new specification, the applicant shall furnish information to justify a new specification. This data should include the properties of the lading and the method of loading and unloading.

(b) The Tank Car Committee will review the proposed specifications at its earliest convenience and report its recommendations through the Executive Director—Tank Car Safety to the Department. The recommendation will be considered by the Department in determining appropriate action.

[29 FR 18995, Dec. 29, 1964. Redesignated at 32 FR 5606, Apr. 5, 1967 and amended by Amdt. 179–41, 52 FR 36672, Sept. 30, 1987; 63 FR 52850, Oct. 1, 1998]

#### § 179.5 Certificate of construction.

(a) Before a tank car is placed in service, the party assembling the completed car shall furnish a Certificate of Construction, Form AAR 4-2 to the owner and the Executive Director—Tank Car Safety, AAR, certifying that the tank, equipment, and car fully conforms to all requirements of the specification.

(b) When cars or tanks are covered in one application and are identical in all details are built in series, one certificate will suffice for each series when submitted to the Executive Director—Tank Car Safety, AAR.

(c) If the owner elects to furnish service equipment, the owner shall furnish the Executive Director—Tank Car Safety, AAR, a report in prescribed form, certifying that the service equipment complies with all the requirements of the specifications.

(d) When cars or tanks which are covered on one application and are identical in all details are built in series, one certificate shall suffice for each series when submitted to the Executive Director—Tank Car Safety, AAR. One copy of the Certificate of Construction must be furnished to the Executive Director—Tank Car Safety, AAR for each car number of consecutively numbered